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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,051	02/20/2004	Steven M. Whipple	10526-001	6771

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EXAMINER	
SAKRAN, VICTOR N	

ART UNIT	PAPER NUMBER
3677	

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/783,051	WHIPPLE, STEVEN M.
	Examiner	Art Unit
	VICTOR N SAKRAN	3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 12-16* is/are rejected.

7)☒ Claim(s) *10,11 and 17-19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> **A person shall be entitled to a patent unless –**
>
> **(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.**

Claim 13, is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hsu U. S. Patent No. 6,735,829; see Figures 1-3; column 3, lines 46-57.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> **(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.**

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. **Determining the scope and contents of the prior art.**
2. **Ascertaining the differences between the prior art and the claims at issue.**
3. **Resolving the level of ordinary skill in the pertinent art.**
4. **Considering objective evidence present in the application indicating obviousness or nonobviousness.**

Claims 1-4, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu '829 in view of Lai et al U. S. Patent No. 6,381,816.

Hsu discloses the general combination claimed of a system for securing a line comprising a main body (1) with a plurality of holes (13,14) to receive the end of the line, wherein hole (13) is provided with a plurality of protruded elements (131) with said hole such that allowing one end of the line to enter said hole; see Figures 1-3; column 3, lines 46-57, except that the reference to Hsu does not disclose a plurality of protrusions in the second hole (14) so the same end of the line will exit the second hole (14). Lai et al teaches the use of a system for securing a line around an object comprising a plurality of holes provided with a plurality of inclined protrusions allowing the line to be inserted in one direction and exit in a second direction; see Figures 1,2, 4,9; column 2, lines 46-51. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the second hole (14) in Hsu with a plurality of protrusions

for receiving one end of the line in a one direction and exit in a second direction in the manner taught, disclosed and suggested by Lai et al.

Claims 1, 5-7, and 13-15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lassiter U. S. Patent No. 6,158,095 in view of Lai et al '816. Lassiter discloses Applicant's claimed combination of a system for securing a line comprising a main body having a plurality of holes for receiving the end of the line, wherein said holes are provided with a plurality of protrusions (18,20') including a leverage device (16) integrally formed with said main body; see Figures 1-7; column 2, lines 44-48, 54-65, and column 3, lines 1-6, except that the reference to Lassiter does nod discloses a plurality of protrusions in each hole to allow the end of the line to enter in one direction into one hole and exit the same end of said line in a second direction.

Lai et al teaches the use of a system for securing a line around an object comprising a plurality of holes provided with a plurality of inclined protrusions allowing the line to be inserted in one direction and exit in a second direction; see Figures 1,2, 4,9; column 2, lines 46-51. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the plurality of holes in Lassiter with a plurality of protrusions for receiving the one end of the line in one direction and exit in a second direction in the manner taught, disclosed and suggested by Lai et al.

Claims 8, 9, 12 and 16, are rejected under 35 U.S.C. 103(a) as being unpatentable over the same references as applied to claims 1 and 13, above, and further in view of Engel U. S. Patent No. 4,529,240 who teaches the use of an insertion device (19) that fits around a line and adapted to be inserted within the opening in the main body (11); see Figures 1, 5, 6; column 2, lines 1-13, and claim1, and to further incorporate such structure in Hus OR Lassiter in the manner taught, disclosed and suggested by Engel in order to protect the free end of the line and for easy insertion of said free end of the line against the protrusions within the holes in the main body, it would have been obvious to one having ordinary skill in the art at the time the invention was made, especially, since such modification involves only routine skill in the art.

Furthermore, Applicant is reminded that in considering the disclosure of a reference, it is proper to take into account not only specific teaching of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom; see In re Preda, 401 F2d 825, 826, 159 USPQ 342,344 (CCPA1968).

Moreover, the particular location and/or the arrangement selected of an elements is also considered to be no more than an obvious matter of design choice to one having ordinary skill within the art, especially, since it has been held that rearranging pa an invention is involves only routine skill in the art. See In Re Japikse, 86 USPQ 70.

Claims 10,11, and 17-19, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant's attention is directed to the art cited herein, as showing structure related to Applicant's disclosed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VICTOR N SAKRAN whose telephone number is 703-308-2224. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. swann can be reached on 703-308-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 2, 2004

VICTOR N SAKRAN
Primary Examiner
Art Unit 3677